

**MINUTES OF THE
ADMINISTRATIVE RULES REVIEW COMMITTEE**
Friday, June 19, 2006 – 9:00 a.m. – Room W135 House Building

Members Present:

Sen. Howard A. Stephenson, Senate Chair
Sen. Mike Dmitrich
Sen. Mark B. Madsen
Sen. Ed Mayne
Sen. Michael G. Waddoups
Rep. James R. Gowans
Rep. Kory M. Holdaway
Rep. Carol Spackman Moss
Rep. Merlynn T. Newbold

Members Excused:

Rep. David Ure, House Chair

Staff Present:

Mr. Arthur L. Hunsaker, Policy Analyst
Ms. Susan Creager Allred, Associate General Counsel
Ms. Tracey Fredman, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Stephenson called the meeting to order at 9:12 a.m.

MOTION: Rep. Moss moved to approve the minutes of the May 19, 2006 meeting. The motion passed unanimously. Sen. Dmitrich was absent for the vote.

2. Licensing Requirements for Solar Panel Installers

Sen. Dmitrich introduced the issue and Mr. Soldat.

Mr. Robert Soldat, constituent, explained the efforts he has made, as a resident of a rural area, to comply with the requirements to be licensed to install solar energy systems and the problems he has encountered.

Mr. F. David Stanley, Associate Director, DOPL (Division of Occupational and Professional Licensing), said that DOPL's goal is to help Mr. Soldat become licensed. Mr. Stanley said there are persons who may act as the necessary qualifiers in the solar contracting field to assist Mr. Soldat.

Mr. Dennis Meservy, Bureau Manager, Construction Trades Licensing, DOPL, described the qualifications required for a solar contracting license, and how Mr. Soldat could obtain a license.

Mr. Kevin Gardner, Gardner Engineering, distributed information describing the "NABCEP" (North American Board of Certified Energy Practitioners).

Mr. Orrin Farnsworth, U.S. Dealer Sales, Carmanah Technologies, discussed a National Certification Test available through the NABCEP, and responded to questions from the Committee.

Mr. Gardner discussed the NABCEP, and responded to questions from the Committee.

Mr. Brad Stephens, Chair, Construction Services Commission, responded to questions from the Committee.

The Committee agreed to review this issue again at a future meeting. Sen. Stephenson asked staff to review whether statutory changes would be needed.

3. Payroll Deductions for a School District Employee's Union Dues

Sen. Mayne introduced the issue, referring to page 7 of the committee mailing packet, "Title 34, Chapter 32 - Deductions for the Benefit of Labor Organizations [Utah Code]."

Ms. Shawna Baird, Utah Labor Representative, AFT (American Federation of Teachers), reviewed the processes for starting and stopping collection of union dues through payroll deduction. Ms. Baird commented about problems that have arisen due to differences in policies between the AFT and some school districts.

Mr. Cal Udy, AFT Labor Representative, responded to questions from the Committee.

Mr. Bruce Williams, Assistant Superintendent, Davis School District, explained how changes in payroll deductions for an employee's union dues are processed in the Davis School District. Mr. Williams introduced Mr. Roberts.

Mr. David Roberts, Payroll Director, Davis School District, discussed the development of current payroll deduction practices of the Davis School District, and responded to comments made by the AFT and questions from the Committee.

In response to a committee question, Ms. Allred explained that the Section 34-32-1 provides that an employee may direct the employer in writing to take a deduction of a certain amount from his or her wages for dues, and that the employer must stop making those deductions upon receipt of a written request from the employee. Ms. Allred noted that the AFT application form states that deductions may be stopped by submitting a written revocation.

Committee discussion followed. The AFT and the Davis School District agreed to meet to resolve concerns regarding the payroll deduction process.

4. Driver License Guidelines and Standards Related to Medication

Mr. Hunsaker introduced the issue.

Ms. Kim Gibb, Chief, Records Bureau, Driver License Division, said the incident in question has been resolved. Ms. Gibb commented that certain medications can cause driver impairment, and the list of these medications changes so frequently that placing them in rule would require continual rulemaking.

Ms. Debbie Darger, Records Bureau Manager over the Medical Section, Driver License Division, responded to questions from the Committee.

Sen. Stephenson recommended that the legal counsel of the Driver License Division meet with legislative staff to determine what standards and guidelines might more appropriately be placed in rule.

5. Committee Business

The next meeting will be held on July 6, 2006, and another meeting is tentatively scheduled for July 26, 2006.

6. Adjourn

MOTION: Rep. Holdaway moved to adjourn the meeting. The motion passed unanimously.

Chair Stephenson adjourned the meeting at 12:04 p.m.